

REMARKS

Claims 1-2 and 4-10 are pending in the present application. In the Office Action, the Examiner maintained his rejection of the pending claims under 35 U.S.C. § 103(a) as being unpatentable over Fujimori et al. (U.S. Patent No. 6,148,051) in view of Nakai et al. (U.S. Patent Pub. No. 2002/0064185 A1). Applicants respectfully traverse this rejection for the reasons presented below.

A. The Examiner's reliance on Nakai and Fujimori

As argued previously, Applicants respectfully submit that Fujimori and Nakai, whether alone or in combination, fail to disclose at least the limitation of transmitting two responses during an asynchronous transfer of a command including a time stamp. One is an interim response transmitted immediately after the command is received, and the other is a complete response transmitted after the command is executed. More specifically, as recited in the pending claims, the interim response is "reflecting that the received command will be executed when a current time based on the synchronized clock reaches a time represented by the time-stamp included in the command," while the complete response "indicating completion of executing the command."

The Examiner cited Figs. 18 and 24 and paragraphs [0152]-[0153] of Nakai as teaching the above two-response limitation. However, Fig. 18 only shows how to use a time stamp to synchronize a request node N1 and a response node N2, and the accompanying descriptive text in paragraphs [0152]-[0153] provides no more relevant disclosure than that the respond node N2 receives a command with a time stamp therein from the request node N1 and executes the command at the time indicated by the time stamp. Furthermore, Fig. 24 only shows acknowledge packets DA returned to data packets D3 and D4 transmitted in the asynchronous transmission. As described in paragraph [0013], such an acknowledge packet returned by the reception node is a mere notice that the packet is received. Distinct from the interim or complete response, the acknowledge packet does not indicate that the command will be executed, or that execution of the command is complete.

Accordingly, at least the Examiner's citations in Nakai do not teach or suggest the two-response limitation.

In addition, Applicants have closely reviewed and fully considered both references Nakai and Fujimori as suggested by the Examiner. However, Applicants find no disclosure of the two-response limitation in either reference.

B. The Examiner's response to Applicants' previous arguments

Applicants respectfully disagree with the Examiner's position in response to Applicants' previous arguments for the following two reasons.

First, the Examiner broadly misinterpreted the claim language such that he cited the synchronization signals in Fujimori as corresponding to the interim response. Applicants respectfully disagree because Fujimori's synchronization signal is a signal representing a reference time and not a response to a command. In contrast, the interim response, as further limited in the pending claims, sends the message that "the received command will be executed when a current time based on the synchronized clock reaches a time represented by the time-stamp included in the command."

Second, the Examiner mischaracterized Applicants' previous arguments concerning the "read response" in Figs. 2 and 5 of Nakai. Applicants did not admit that the Nakai "read response" taught the recited complete response. Rather, Applicants wished to stress the point that in Nakai the response node transmits only one response, as opposed to the two responses in the present invention. Even though this one single response in Nakai is "a read response showing a result of the read process," which appeared to be a complete response, by no means can this read response read on the two separate responses in the claims. In fact, a read command is generally a type of command to be executed instantly and thus no time stamp can be added to the read command to delay execution of the command. In that regard, the read response in Nakai is different from the

claimed complete response because the read response corresponds to the read command, namely, a command with no time stamp, while the claimed complete response indicates completion of executing a command with a time stamp. Additionally, given that the read command is executed instantly, there is no need or time for Nakai to return an interim response "reflecting that the received command will be executed when a current time based on the synchronized clock reaches a time represented by the time-stamp included in the command." As such, Nakai teaches away having an interim response in addition to a complete response.

If, for any reason, the Examiner finds the application other than in condition for allowance, Applicant requests that the Examiner contact the undersigned attorney at the Los Angeles telephone number (213) 892-5630 to discuss any steps necessary to place the application in condition for allowance.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 393032040300. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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Respectfully submitted,

By 
Peng Li

Registration No.: L0060
MORRISON & FOERSTER LLP
555 West Fifth Street
Los Angeles, California 90013-1024
(213) 892-5367